

**RULES
OF
TENNESSEE DEPARTMENT OF CONSERVATION
DIVISION OF STATE PARKS**

**CHAPTER 0400—2—3
BOATING**

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0400—2—3—.01 ADDITIONAL REGULATIONS. In addition to the Park Regulations contained in this part, the U.S. Coastguard Regulations, Titles 33 and 46 Code of Federal Regulations, and the Tennessee Boating Safety Act of 1965, as amended, must also be observed.

Authority: T.C.A. §11—1—108. Administrative History: Original rule certified May 24, 1974. Amendment filed August 24, 1987; effective October 8, 1987.

0400—2—3—.02 DEFINITIONS.

- (1) *Vessel* includes every type or description of craft, other than a seaplane on the water, used or capable of being used as a means of transportation on water. This definition includes but is not limited to the following: Boat, motorboat, houseboat, rowboat, powerboat, jet boat, fishing boat, towboat, scow, flatboat, sailboat, cruiser, motor vessels, ship, barge, tug, floating cabana, party boat, charter boat, ferryboat, canoe, raft, or any buoyant device permitting or capable of free flotation.
- (2) *Motorboat* means any vessel propelled by machinery of 65 feet or less in length, whether or not such machinery is the principal source of power.
- (3) *Motor Vessel* means any vessel propelled by machinery over 65 feet in length, whether or not such machinery is the principal source of power.
- (4) *Sailboat or Sail Vessel* means any vessel propelled solely by wind effect on the sail.

Authority: T.C.A. §11—1—108. Administrative History: Original rule certified May 24, 1974.

0400—2—3—.03 BOAT LAUNCHING.

- (1) The Division of Parks and Recreation may establish a charge for the launching of private boats into lakes, rivers, or navigable streams accessible from park lands where such charge is otherwise permitted by statute or by the conditions under which the Division accepted title to these park lands.
- (2) The Division of Parks and Recreation may prohibit the launching of personally owned boats on park lakes which are totally within the boundaries of a park.

Authority: T.C.A. §11—1—108. Administrative History: Original rule certified May 24, 1974. Amendment filed August 24, 1987; effective October 8, 1987.

0400—2—3—.04 SAFETY FACTORS.

- (1) All persons under sixteen (16) years of age must be accompanied by an adult before fishing from boats except those children between 12 and 15 not using power-operated boats on the small park lakes.

(Rule 0400—2—3—.04, continued)

- (2) Boats shall not be operated in a reckless manner and shall not exceed five (5) miles an hour (except on open waters adjacent to park areas where there are no other speed restrictions).
- (3) All occupants of a canoe must wear a life preserver on park-managed lakes and streams.
- (4) All occupants of other types of park-owned boats are required to have a flotation device (furnished by the park) for every passenger.

Authority: T.C.A. §11—1—108. **Administrative History:** Original rule certified May 24, 1974. Amendment filed August 24, 1987; effective October 8, 1987.

0400—2—3—.05 PROHIBITED OPERATIONS.

- (1) No operator or person in charge of any vessel shall operate or knowingly permit any other person to operate a vessel in a reckless or negligent manner, or in a manner so as to endanger or be likely to endanger any person or property.
- (2) No operator shall permit any person to ride on the gunwales, transom, or on the decking over the bow of a vessel propelled by machinery while the vessel is underway, unless the vessel is adequately equipped with rails or guards: provided, however, that this shall not apply while the vessel is being maneuvered for mooring or unmooring, or when embarking or disembarking passengers.
- (3) No privately owned vessel shall be used to carry passengers for hire, or be used in any other commercial operation, unless written authorization has been granted by the Director, except as provided by special regulations for areas having navigable waters.
- (4) Vessels transported by vehicles must be launched or removed from the waters only at designated launching sites.
- (5) No vessel shall be operated within 200 feet of any designated swimming area.
- (6) All vessels shall proceed with due caution and at slow speed while underway when in the vicinity of any diver's marker, designated by a standard square-shaped flag containing a white diagonal stripe on a red field.
- (7) No vessel shall be operated in excess of five (5) miles per hour within designated harbors.
- (8) Attaching a vessel to or interfering with any marker, navigational buoy, or other navigational aid is prohibited.
- (9) Leaving any vessel unattended, outside of designated mooring or beaching areas, for a period in excess of 24 hours without prior written permission of the Superintendent is prohibited, and any vessel so left may be impounded by the Superintendent.
- (10) Vessels equipped with a propeller above the water line, commonly referred to as an "airboat" are prohibited.
- (11) No log boom, pier, dock, fence, pile, raft, anchorage, or other obstruction shall be installed in the waters of any park.

Authority: T.C.A. §11—1—108. **Administrative History:** Original rule certified May 24, 1974.

0400—2—3—.06 RESTRICTED WATERS.

- (1) No vessel shall be operated on any waters which are zoned or marked as migratory bird waters, or for fish cultural or wildlife uses.
- (2) No vessel shall approach any dam or other engineering works closer than the limits posted with appropriate signs or markers.
- (3) The Superintendent may close or otherwise restrict the use of any body of water when necessary to protect life or property, or for any other emergency. Such restricted area shall be defined, whenever practicable, by signs or markers.
- (4) The Superintendent may, by the posting of appropriate signs, establish limitations on the time allowed for camping on or from vessels, either in single periods, or combined separate periods, in any area waters or portions thereof.

Authority: T.C.A. §11—1—108. **Administrative History:** Original rule certified May 24, 1974.